

Minneapolis City Planning Department Report

Rezoning Application
BZZ-1306

Date: August 18, 2003

Applicant: Walter and Mary Iverson

Address of Property: 5536 Chicago Avenue

Date Application Deemed Complete: July 24, 2003

End of 60 Day Decision Period: September 22, 2003

End of 120 Day Decision Period: Not applicable

Applicant Waive 60 Day Requirement: No

Contact Person and Phone: Kathy Iverson, (952) 929-2694

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Ward: 11 **Neighborhood Organization:** Hale Page & Diamond Lake Community Association

Existing Zoning: R2B

Proposed Zoning: OR1 Neighborhood Office Residence District

Proposed Use: Mixed-use building that contains one dwelling unit and an office

Previous Actions: None

Concurrent Review:

Rezoning of the property from the existing R2B zoning district to the OR1 zoning district to allow for a mixed-use building that contains one dwelling unit and an office.

Background: The building located at 5536 Chicago Avenue was originally built in 1948. The building that was originally constructed contained one dwelling unit and an office. The current owners of the property purchased it in 1953. They lived in the dwelling unit portion of the building and operated a dentist office in the office portion of the building. The owners stopped operating a dentist office in the building in 1996. Because the office portion of the building has not operated for the past six years any nonconforming rights have been lost. Therefore the owners are seeking a rezoning to the OR1 zoning district. The owners are in the process of selling the building and for marketing purposes would like to advertise it as a mixed-use building.

Minneapolis City Planning Department Report

BZZ-1306

REZONING

Zoning Plate Number: 37

Legal Description: Lot 10, Block 6, Park Avenue Terrace Addition to Minneapolis

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

This site is located in a low-density residential area and in the 56th and Chicago Avenue Neighborhood Commercial Node. According to the Principles and Policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services and are compatible with adjacent residential areas.
- Support the continued presence of small-scale retail sales and commercial services in Neighborhood Commercial Nodes.

Limit the territorial expansion of Neighborhood Commercial Nodes, but encourage rehabilitation and reinvestment in existing buildings.

This proposal is consistent with the comprehensive plan.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment will allow the property owner to utilize the site as a mixed-use building with one dwelling unit and an office in it. City stakeholders have identified this area as being a Neighborhood Commercial Node. Approving this rezoning supports the City's decision to maintain this area as a Neighborhood Commercial Node.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The site is bordered by R5 zoning to the south and east, R2B zoning to the north and R1 zoning to the west. Adjacent uses include single and two-family dwellings, multiple-family dwellings, commercial uses located along Chicago Avenue and a public park.

The proposed OR1 zoning district is compatible with the immediately surrounding area. The OR1 Neighborhood Office Residence District is established to provide a small scale mixed use environment of low to moderate density dwellings and office uses. In this particular situation the OR1 property would be located between a multi-family residential building and a two-family residential building.

Minneapolis City Planning Department Report

BZZ-1306

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the R2B zoning district. The R2B zoning district is a low-density residential district. Permitted uses in the R2B district include, but are not limited to, the following:

- single family dwellings
- two-family dwellings
- community residential facilities serving six or fewer persons
- community gardens
- public parks
- religious institutions

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Under the 1963 Zoning Code, the area had zoning classifications similar to the current zoning classifications. Under the 1963 Zoning Code the subject site was zoned R2B.

RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and approve the rezoning of the property located at 5536 Chicago Avenue South from the existing R2B zoning district to the OR1 zoning district.